

TITLE 12. NATURAL RESOURCES
CHAPTER 8. ARIZONA STATE PARKS BOARD

Authority: A.R.S. § 41-511 et seq.

Editor's Note: The Office of the Secretary of State publishes all Code Chapters on white paper (Supp. 01-4).

Editor's Note: Sections in this Chapter were adopted and amended under an exemption from the provisions of the Arizona Administrative Procedure Act, pursuant to A.R.S. § 41-1005(A)(21). Exemption from this Act means that this Section was not reviewed or approved by the Governor's Regulatory Review Council; notice of this rule was not submitted to the Office of the Secretary of State for publication in the Arizona Administrative Register; and no public comment period or public hearings were required to be held on this rule. Because this Chapter contains rules which were adopted under a rulemaking exemption, the Chapter is printed on blue paper.

ARTICLE 1. GENERAL PROVISIONS

Section

| | |
|------------|---|
| R12-8-101. | Definitions |
| R12-8-102. | Permission to Enter or Remain in a State Park |
| R12-8-103. | Vandalism |
| R12-8-104. | Hours of Use; Use; Closure |
| R12-8-105. | Day-use Areas; Hours |
| R12-8-106. | Limited Services on Christmas Day |
| R12-8-107. | Litter and Waste |
| R12-8-108. | Payment of Fees |
| R12-8-109. | Fees and Permits |
| R12-8-110. | Fee Waivers |
| R12-8-111. | Camping |
| R12-8-112. | Campfires |
| R12-8-113. | Vehicles, Speed Limits, and Parking |
| R12-8-114. | Watercraft; Launching and Mooring |
| R12-8-115. | Pets |
| R12-8-116. | Glass Containers |
| R12-8-117. | Reserved |
| R12-8-118. | Reserved |
| R12-8-119. | Weapons |
| R12-8-120. | Fireworks and Explosives |
| R12-8-121. | Reserved |
| R12-8-122. | Commercial Use of a Park |
| R12-8-123. | Reserved |
| R12-8-124. | Disorderly Conduct |
| R12-8-125. | Special Use |
| R12-8-126. | Penalty for Regulation Violation |
| Exhibit A. | June 1, 2004 Regular Fee Schedule |

ARTICLE 2. OPERATION OF THE BOARD

Section

| | |
|------------|----------------------------------|
| R12-8-201. | Meetings |
| R12-8-202. | Organization of the Board |
| R12-8-203. | Committees |
| R12-8-204. | Procedures at Meetings |
| R12-8-205. | Repeal |
| R12-8-206. | Repeal |
| R12-8-207. | Board Concession Approval Policy |

ARTICLE 3. STATE HISTORIC PRESERVATION OFFICE PROGRAMS

Section

| | |
|------------|--|
| R12-8-301. | Definitions |
| R12-8-302. | Criteria for Evaluation |
| R12-8-303. | Processes of Registration |
| R12-8-304. | Factors for Determining Certification Eligibility |
| R12-8-305. | Application of Eligibility for Reclassification |
| R12-8-306. | Minimum Maintenance; Restoration Standards |
| R12-8-307. | Documentation Requirements, Reports, and Inspections |

ARTICLE 1. GENERAL PROVISIONS

R12-8-101. Definitions

In this Chapter:

1. "Board" means the Arizona State Parks Board.
2. "Cabana site" means a camping space with a shelter and electricity available.
3. "Camp or camping" means overnight use of a park area.
4. "Camping unit or camp site" means a defined space within an area designated for overnight use.
5. "Concession" means a contract issued by the Board for the use of state land to provide services or facilities to the public.
6. "Day use area" means a space that is closed to camping or overnight use but open to the public during established hours.
7. "Director" means the Executive Director of the Arizona State Parks Board.
8. "Fee area" means a space for which there is a fee charged to use, occupy, or enter the space.
9. "Hook-up site" means a camping unit with a connection for water, sewer, or electricity.
10. "Interpretive program" means a scheduled program conducted by State Park personnel at a State Park, to inform, educate, or interpret resources for the public.
11. "Park Officer" means an employee of Arizona State Parks appointed by the Board as a Park Ranger Law Enforcement Officer with the authority and power of a Peace Officer under A.R.S. § 41-511.09.
12. "Park Ranger" means an employee of the Board.
13. "Person" means an individual, corporation, firm, partnership, club, or association.
14. "Recreational facility" means a park area used primarily to provide recreational opportunities for the visiting public.
15. "Special program" means an activity sponsored by the Arizona State Parks Board for the enjoyment of park visitors.
16. "Special use" means a nonpublic activity such as a wedding, organized group meeting, jog-a-thon, or seminar, that is outside of a park's activity design or that requires exclusion of the general public from an area of a park.
17. "State Park System" or "State Park" means the lands, waters, monuments, historical sites, state recreation areas, and any other areas administered by the State Parks Board.
18. "Wildlife" means all wild mammals, wild birds and the nests or eggs thereof, reptiles, amphibians, mollusks, crustaceans, and fish, including their eggs or spawn, as defined in A.R.S. § 17-101(A)(21).

Historical Note

Former Rule 1; Former Section R12-8-01 repealed, new Section R12-8-01 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-02 renumbered and

amended as Section R12-8-101 effective November 1, 1981 (Supp. 81-5). Amended effective March 7, 1991 (Supp. 91-1). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-102. Permission to Enter or Remain in a State Park

A person who enters, remains in, or uses a State Park shall comply with state law, including these rules and regulations. A person who violates any law or rule while in a State Park shall leave the premises upon order of a Park Ranger or Park Officer. The violator shall not re-enter the park for a period of at least 72 hours.

Historical Note

Former Rule 2; Former Section R12-8-02 repealed, new Section R12-8-02 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-01 renumbered and amended as Section R12-8-102 effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-103. Vandalism

It is unlawful to deface, injure, destroy, remove or use without authority any public facility or public property including all wildlife, plants, animals, archaeological, geological or historical objects found within a state park.

Historical Note

Former Rule 3; Former Section R12-8-03 repealed, new Section R12-8-03 adopted effective January 28, 1976 (Supp. 76-1). Former Sections R12-8-03 and R12-8-06 renumbered and amended as Section R12-8-103 effective November 1, 1981 (Supp. 81-5).

R12-8-104. Hours of Use; Use; Closure

- A. Camping units and undeveloped areas are open to public use at all hours. Historic sites are open to the public from 8:00 a.m. to 5:00 p.m. Day use areas are governed by R12-8-105.
- B. The Director or Park Manager may temporarily restrict the hours of public use or close any State Park or portion of the park in the interest of public safety or to protect public property. The Park Manager may modify the hours of use on a temporary basis to accommodate unusual or seasonal circumstances. The Director or Park Manager shall post any exception to usual hours of public use at the park entrance.
- C. A person shall not enter, remain in, or use any State Park in violation of the restrictions governing hours of use or an order for closure.

Historical Note

Former Rule 4; Former Section R12-8-04 repealed, new Section R12-8-04 adopted effective January 28, 1976 (Supp. 76-1). Former Sections R12-8-04 and R12-8-05 renumbered and amended as Section R12-8-104 effective November 1, 1981 (Supp. 81-5). Amended subsections (A) and (C) effective July 12, 1984 (Supp. 84-4). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-105. Day-use Areas; Hours

Day-use areas are open for public use from 8:00 a.m. until 10:00 p.m. The Director or Park Manager may restrict the hours of public use in the interest of public safety or to protect public property. The Park Manager may modify the hours of use to accommodate special uses or seasonal or unusual variations in public use. The Director or Park Manager shall post any exception to usual hours of public use at the park entrance.

Historical Note

Former Rule 5; Former Section R12-8-05 repealed, new Section R12-8-05 adopted effective January 28, 1976

(Supp. 76-1). Amended effective June 29, 1979 (Supp. 79-3). Former Section R12-8-05 renumbered and amended as Section R12-8-105 effective November 1, 1981 (Supp. 81-5). Amended effective March 23, 1990 (Supp. 90-1). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-106. Limited Services on Christmas Day

Park facilities are not staffed on Christmas Day except in an emergency. On that day, museums, contact stations, and visitor centers are closed. Other areas are open for public use as posted.

Historical Note

Former Rule 6; Former Section R12-8-06 repealed, new Section R12-8-06 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-05 renumbered and amended as Section R12-8-106 effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-107. Litter and Waste

- A. No person shall leave or discard any trash, garbage, human or animal waste in a state park unless confined in a sanitary manner and deposited in a maintained facility designated to receive it.
- B. It is unlawful to deposit in a state park any trash, garbage, human or animal waste collected from a private residence or commercial business.

Historical Note

Former Rule 7; Former Section R12-8-07 repealed, new Section R12-8-07 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-14 renumbered and amended as Section R12-8-107 effective November 1, 1981 (Supp. 81-5).

R12-8-108. Payment of Fees

A person shall not enter, remain in, or use a designated fee area without paying the required fee or obtaining permission from a Park Ranger. A fee, unless exempted by an Annual Entrance or 5-Visit permit, collected in one State Park does not authorize use of facilities in another State Park.

Historical Note

Former Rule 8; Former Section R12-8-08 repealed, new Section R12-8-08 adopted effective February 1, 1976 (Supp. 76-1). Amended effective June 30, 1978 (Supp. 78-3). Former Section R12-8-07 renumbered and amended as Section R12-8-108 effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

Editor's Note: The Arizona State Parks Board amended this Section effective March 2, 1998, under an exemption from the Arizona Administrative Procedure Act. Exemption from this Act means this Section was not submitted to the Office of the Secretary of State for publication as a proposed rule in the Arizona Administrative Register; no public comment period or public hearings were required to be held on this rule; and the rule was not reviewed or approved by the Governor's Regulatory Review Council (Supp. 98-1).

Editor's Note: The Arizona State Parks Board amended this Section effective January 1, 1998, under an exemption from the Arizona Administrative Procedure Act. Exemption from this Act means this Section was not submitted to the Office of the Secretary of State for publication as a proposed rule in the Arizona Administrative Register; no public comment period or public hearings were required to be held on this rule; and the rule was

not reviewed or approved by the Governor's Regulatory Review Council (Supp. 97-4).

Editor's Note: *The Arizona State Parks Board repealed the old Section text as specified in the following Editor's Note, effective January 12, 1996, under an exemption from the Arizona Administrative Procedure Act. Exemption from this Act means that this Section was not submitted to the Office of the Secretary of State for publication as a proposed rule in the Arizona Administrative Register; no public comment period or public hearings were required to be held on this rule; and the rule was not reviewed or approved by the Governor's Regulatory Review Council (Supp. 96-1).*

Editor's Note: *The Arizona State Parks Board adopted a new R12-8-109 under an exemption from the provisions of the Arizona Administrative Procedure Act but did not repeal the old rule. Therefore the text of both the old Section and the new Section appear here, with the old Section appearing first and the new Section appearing second. The agency will repeal the old text in January 1996.*

Editor's Note: *The following Section was amended under an exemption from the provisions of the Arizona Administrative Procedure Act. Exemption from this Act means that this Section was not reviewed by the Governor's Regulatory Review Council or the Attorney General; notice of this rule was not submitted to the Office of the Secretary of State for publication in the Arizona Administrative Register; and no public comment period or public hearings were required to be held on this rule.*

Editor's Note: *The following Section was adopted under an exemption from the provisions of the Arizona Administrative Procedure Act.*

R12-8-109. Fees and Permits

- A. Annual Fee Review. The Board shall annually review and set fees for entrance, camping, and overnight parking at state park facilities. The fees shall be posted at each state park and printed in appropriate state park literature for public information. Fees shall be based upon analysis of the following criteria:
 1. Fee and permit charges by state park agencies of the 11 western states and similar facilities within Arizona,
 2. Arizona State Parks operational and developmental costs,
 3. Public demand for services, and
 4. Impacts upon park resources.
- B. Entrances fees/permits. Entrance, camping, and overnight parking fees for each park can be found in Exhibit A. A fee will not be charged for private vehicles or individuals requesting a 15 minute or less preview of a recreation park.
- C. Special Use Fees. The Director may negotiate a specific fee for special uses. The range for noncommercial and commercial uses at state park facilities shall be the fee charged unless the Executive Director determines that an increase is justified based upon analysis of the following criteria:
 1. Park expenses resulting from the special use,
 2. Loss of revenue resulting from the special use,
 3. Impacts upon park resources and visitors as a result of the special use, or
 4. The goodwill produced by informing or educating the public.
- D. Special interpretive fees. A special interpretive fee for events sponsored by state parks may be assessed or park fees during the event may be waived. If assessed, this fee shall be established by the Executive Director according to the criteria specified in subsection (C). Special interpretive fees shall be established in advance of the event and posted as stated in this rule.

- E. Commercial Vehicle Access Permit (CVAP) will be required by any person that enters a state park to conduct any portion of a business that is not covered by a concession agreement or special use permit. Permits will be issued either as Rental Businesses or Retail Businesses.

Historical Note

Former Rule 9; Former Section R12-8-09 repealed, new Section R12-8-09 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-08 renumbered and amended as Section R12-8-109, subsections (A), (B) and (D), effective November 1, 1981, subsection (C) effective January 1, 1982 (Supp. 81-5). Amended by adding subsection (E) effective July 12, 1984 (Supp. 84-4). Amended subsections (B) and (D) and added subsection (F) effective January 1, 1985 (Supp. 84-6). Amended effective April 22, 1988 (Supp. 88-2). Repealed due to legislative exemption which was amended into the Arizona Administrative Procedure Act. New Section adopted effective January 1, 1994, under an exemption from the provisions of the Arizona Administrative Procedure Act; filed in the Office of the Secretary of State December 28, 1993 (Supp. 93-4). Amended effective January 1, 1995, under an exemption from A.R.S. Title 41, Chapter 6, pursuant to A.R.S. § 41-1005(A)(21); filed in the Office of the Secretary of State December 23, 1994 (Supp. 95-3). New Section adopted effective January 1, 1996, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-1005(A)(21); filed in the Office of the Secretary of State December 22, 1995 (Supp. 95-4). Text of Section in effect before January 1, 1996, repealed effective January 11, 1996, pursuant to an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-1005(A)(21) (Supp. 96-1). Amended effective January 1, 1997, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State December 9, 1996 (Supp. 96-4). Amended effective January 1, 1998, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State December 11, 1997 (Supp. 97-4). Amended effective March 2, 1998, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State February 13, 1998 (Supp. 98-1).

Editor's Note: *The Arizona State Parks Board amended this Section effective January 1, 1998, under an exemption from the Arizona Administrative Procedure Act. Exemption from this Act means this Section was not submitted to the Office of the Secretary of State for publication as a proposed rule in the Arizona Administrative Register; no public comment period or public hearings were required to be held on this rule; and the rule was not reviewed or approved by the Governor's Regulatory Review Council (Supp. 97-4).*

Editor's Note: *The Arizona State Parks Board repealed the old Section text as specified in the following Editor's Note, effective January 12, 1996, under an exemption from the Arizona Administrative Procedure Act. Exemption from this Act means that this Section was not submitted to the Office of the Secretary of State for publication as a proposed rule in the Arizona Administrative Register; no public comment period or public hearings were required to be held on this rule; and the rule was not reviewed or approved by the Governor's Regulatory Review Council. (Supp. 96-1).*

Editor's Note: The Arizona State Parks Board adopted a new R12-8-109 under an exemption from the provisions of the Arizona Administrative Procedure Act but did not repeal the old rule. Therefore the text of both the old Section and the new Section appear here, with the old Section appearing first and the new Section appearing second. The agency will be repealing the old text soon.

Editor's Note: The following Section was adopted under an exemption from the provisions of the Arizona Administrative Procedure Act. Exemption from this Act means that this Section was not reviewed by the Governor's Regulatory Review Council; notice of this rule was not submitted to the Office of the Secretary of State for publication in the Arizona Administrative Register; no public comment period or public hearings were required to be held on this rule; and the Attorney General has not certified this rule.

R12-8-110. Fee Waivers

- A.** The Park Manager, or official designee of the Park Manager, is authorized to grant waivers of the entrance fee to educational and handicapped groups in accordance with the following guidelines:
 - 1. Subject to the discretion of the Park manager, fees for preschools and accredited K-12 school groups may be waived. Program fees for large groups that are scheduled for special interpretive programs, ranger-led hikes, or tours of the park will be charged (refer to Exhibit A, 1998 Regular Fee Schedule for specific rates) when a waiver is not granted.
 - 2. Professional groups shall be participating in a parks and recreation, or historic and interpretive seminar, or conference tour.
 - 3. Handicapped groups shall be affiliated with organizations or agencies established for their care, rehabilitation, training, or service. For the purpose of this rule, handicapped is defined as blind and visually impaired, deaf and hard of hearing, mobility impaired, or developmentally disabled.
- B.** Persons serving in a volunteer capacity with a signed volunteer agreement with the Arizona State Parks Board are exempt from all fees.
- C.** No fees shall be charged on Christmas Day.
- D.** The Director or the Director's designee may modify any and all rates prescribed in R12-8-109 and R12-8-110 to include discounts, promotional rates, and other modifications.

Historical Note

Adopted effective July 12, 1984 (Supp. 84-4). Repealed due to legislative exemption which was amended into the Arizona Administrative Procedure Act. New Section adopted effective January 1, 1994, under an exemption from the provisions of the Arizona Administrative Procedure Act; filed in the Office of the Secretary of State December 28, 1993 (Supp. 93-4). Adopted effective January 1, 1996, under an exemption from the provisions of the Arizona Administrative Procedure Act; filed in the Office of the Secretary of State December 22, 1995 (Supp. 95-4). Text of Section in effect before January 1, 1996, repealed effective January 11, 1996, pursuant to an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-1005(A)(21) (Supp. 96-1). Amended effective January 1, 1998, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State December 11, 1997 (Supp. 97-4).

R12-8-111. Camping

- A.** Camping is permitted only in a designated camping unit and is subject to the following conditions:
 - 1. A person shall not camp in a State Park for more than 15 days within a 30-day period unless authorized by the Park Manager. A person may camp for an additional 14 days within a 45-day period during a posted, designated long-term stay period. This limitation does not apply to a Board-approved concession area within the park system. The long-term stay provision does not apply to a visitor using a camping unit as a principal place of residence while employed in the area.
 - 2. A person shall not leave an occupied camping unit unattended overnight without written permission from a Park Ranger.
 - 3. A person shall ensure that the number of persons occupying a camping unit and the number of vehicles in the unit do not exceed the limits posted at the area entrance or camping unit.
- B.** A camping unit is considered occupied after the appropriate use fee is paid and the camper establishes a conspicuous presence. A person shall not occupy a camping unit in violation of instructions from a Park Ranger or if there is reason to believe that the unit is occupied by another camper.
- C.** A Park Ranger may allow the occupants of a single vehicle to register for more than one camping unit only if the number of occupants exceeds the posted occupancy limit for the unit.
- D.** A person shall pay the fee for use of a camping unit on a per-day basis. Payment authorizes use of the facility until 2:00 p.m. on the day the permit expires.
- E.** A person shall remove all personal property from a camping unit by 2:00 p.m. on the day of permit expiration.

Historical Note

Former Rule 11; Former Section R12-8-11 repealed, new Section R12-8-11 adopted effective January 28, 1976 (Supp. 76-1). Former Sections R12-8-09 and R12-8-10 renumbered and amended as Section R12-8-111 effective November 1, 1981 (Supp. 81-5). Amended subsection (A), Paragraph (1) effective November 27, 1987 (Supp. 87-4). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-112. Campfires

- A.** An outdoor fire may be ignited only in a designated camping unit or day-use area. A person shall ensure that a fire is confined to a designated grill, a fire ring, or other facility provided by the park.
- B.** A person shall not ignite or maintain a fire when a high wind is blowing or when open burning is prohibited by order of any Park Ranger.
- C.** A responsible person shall attend and control any fire at all times.

Historical Note

Former Rule 12; Former Section R12-8-12 repealed, new Section R12-8-12 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-11 renumbered and amended as Section R12-8-112 effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-113. Vehicles, Speed Limits, and Parking

- A.** A motor vehicle shall be driven only on maintained roadways and parking areas, and in areas designated by signs for vehicle use.
- B.** The operation of a motor vehicle is governed by the provisions of the Uniform Act Regulating Traffic on Highways, A.R.S.

Title 28. A person shall not drive at a speed greater than is reasonable and prudent under the circumstances and conditions or in excess of posted limits.

- C. Motor vehicle operators shall not park or leave motor vehicles unattended except in a designated parking area or parking zone. A Park Ranger may remove an unattended vehicle that is illegally parked or illegally left standing upon any roadway or park area and may obstruct traffic or impair the normal activities of the park.

Historical Note

Former Rule 29; Former Section R12-8-13 repealed, new Section R12-8-13 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-12 renumbered and amended as Section R12-8-113 effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-114. Watercraft; Launching and Mooring

It is unlawful to moor or launch a watercraft from the shore after such action has been prohibited by the Director and notice of the restriction is posted at the location where the prohibition applies.

Historical Note

Former Rule 14; Former Section R12-8-14 repealed, new Section R12-8-14 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-13 renumbered and amended as Section R12-8-114 effective November 1, 1981 (Supp. 81-5).

R12-8-115. Pets

- A. A person shall keep a dog, cat, or other pet on a leash that does not exceed 6 feet in length or otherwise restrained while in a State Park.
- B. The restraint requirement in subsection (A) does not apply to a dog in an area open to hunting or field trials, and participating in these activities.
- C. A person shall not take any pet into a park building, cabana, developed beach, or other area that has been determined to be environmentally or ecologically sensitive. This restriction does not apply to a certified assist animal.

Historical Note

Former Rule 15; Former Section R12-8-15 repealed, new Section R12-8-15 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-15 renumbered and amended as Section R12-8-115 effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-116. Glass Containers

A person shall not possess glass or ceramic containers of any type in a State Park area designated as a public beach or swimming area, or other posted area.

Historical Note

Adopted effective January 3, 1989 (Supp. 89-1). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-117. Reserved

R12-8-118. Reserved

R12-8-119. Weapons

- A. The following definitions apply under this rule:
1. "Improved recreation area" means all camping units, campground roads, amphitheaters, boat launching ramps, developed picnic areas, developed swimming beaches and any other area which has been designated by the

director and reserved for an assembly or other temporary gathering of persons.

2. "Prohibited weapon" means a firearm as defined by A.R.S. § 13-3101(4), a BB gun, pellet gun, bow or sling-shot.
- B. Peace officers and private security guards employed by a park concessioner are authorized to carry firearms. No unauthorized person may enter or remain in a park building or an improved recreation area while carrying a prohibited weapon on his person after a reasonable request from a park ranger to remove it. A reasonable request is one made under circumstances where the person or persons carrying the weapon or weapons poses a danger or threat to others lawfully present. If, after a reasonable request is made, a person carrying a prohibited weapon within a park building or improved recreation area chooses to remain in the building or area, that person shall place the weapon in the custody of a park ranger upon demand until the person abandons the building or restricted area.
- C. Firearms may be transported or stored in a vehicle on any state park area as allowed by A.R.S. § 13-3102(F).
- D. Licensed hunters may carry lawful hunting weapons in any park area where they may be used to take wildlife and may carry such weapons through an improved recreation area in order to hunt.

Historical Note

Adopted effective July 12, 1984 (Supp. 84-4).

R12-8-120. Fireworks and Explosives

No person shall discharge fireworks or any other explosive device within a state park without a special permit from the park manager.

Historical Note

Former Rule 20. Former Section R12-8-20 repealed, new Section R12-8-20 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-20 renumbered and amended as Section R12-8-120 adopted effective November 1, 1981 (Supp. 81-5).

R12-8-121. Reserved

R12-8-122. Commercial Use of a Park

- A. The unauthorized use of any state park for commercial purposes is prohibited. No person may solicit funds, offer to sell any goods or services or otherwise advertise or conduct a business or any portion of a business in a state park without permission from the Director.
- B. This rule shall not prohibit the entry onto a state park of a commercially marked vehicle for the purpose of recreation, service to a park concessioner or in response to an emergency.

Historical Note

Former Rule 22. Former Section R12-8-22 repealed, new Section R12-8-22 adopted effective January 28, 1976 (Supp. 76-1). Former Sections R12-8-22 and R12-8-23 renumbered and amended as Section R12-8-122 effective November 1, 1981 (Supp. 81-5). Amended subsection (A) effective July 12, 1984 (Supp. 84-4).

R12-8-123. Reserved

R12-8-124. Disorderly Conduct

Disorderly conduct is prohibited within a state park. No person shall, with knowledge that he is disturbing the peace of an area or person, make unreasonable noise, engage in violent behavior, use provocative language or gestures or recklessly display or discharge a firearm or deadly weapon. The use of a loudspeaker is prohibited without a permit from the Director or a Park Manager.

Historical Note

Former Rule 24. Former Section R12-8-24 repealed, new

Arizona State Parks Board

Section R12-8-24 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-24 renumbered and amended as Section R12-8-124 effective November 1, 1981 (Supp. 81-5).

R12-8-125. Special Use

- A.** A person who requires special use of a State Park, such as an organized sporting event, pageant, or assembly, shall obtain a special use permit.
- B.** The Director may reserve a portion of a State Park fee area for approved special use. A special use permit application shall be submitted at least 15 days in advance, and it shall include relevant information to establish that the proposed special use will not constitute a threat to public safety or unduly inconvenience normal park activities. Applications for special use permits are available from each of the Arizona State Parks.
- C.** The Director may impose conditions on the conduct of any special use to protect the area and maintain its availability as a State Park. The Director may require that a sponsor post a deposit for damage and clean-up expenses, carry special insurance, and provide adequate medical, sanitary, and security services. If the special use is staged for profit, the Director may

require the sponsor to enter into an agreement with the Board for a negotiated percentage of gross receipts or a flat fee.

- D.** A decision by the Director concerning any special use may be appealed to the Parks Board.

Historical Note

Former Rule 25; Former Section R12-8-25 repealed, new Section R12-8-25 adopted effective January 28, 1976 (Supp. 76-1). Former Section R12-8-25 renumbered and amended as Section R12-8-125 effective November 1, 1981 (Supp. 81-5). Amended subsections (A) and (C) effective November 27, 1987 (Supp. 87-4). Amended effective January 1, 1997, under an exemption from A.R.S. Title 41, Chapter 6; filed in the Office of the Secretary of State December 9, 1996 (Supp. 96-4). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-126. Penalty for Regulation Violation

A person who violates a State Parks Board Regulation commits a Class 2 Misdemeanor. See A.R.S. § 41-511.13.

Historical Note

Adopted effective November 1, 1981 (Supp. 81-5).

Exhibit A. June 1, 2004 Regular Fee Schedule

**ARIZONA STATE PARKS
JUNE 1, 2004 REGULAR FEE SCHEDULE
Effective 6/1/04**

HISTORIC PARK AND TOUR FEES

| | AGE GROUPS | | | * GROUP DISCOUNTS | | OTHER FEES | |
|-------------------------|-------------------------|--------------|-----------------|-------------------|-----------------|---|--------------|
| | Ages 0-6 | Ages 7-13 | Ages 14 & up | Ages 7-13 | Ages 14 & up | | |
| Boyce Thompson | (Separate Fee Schedule) | | | | | Overnight Parking: | 4.00 |
| Fort Verde | free | 1.00 | 3.00 | 0.80 | 2.40 | *Arizona State Parks Premium Annual Pass: | 100.00 |
| Jerome | free | 1.00 | 4.00 | 0.80 | 3.20 | *Arizona State Parks Standard Annual Pass: | 45.00 |
| McFarland | free | 1.00 | 3.00 | 0.80 | 2.40 | Commercial Retail Permit: | 250.00 |
| Riordan Mansion | free | 2.50 | 6.00 | 2.00 | 4.80 | Commercial Rental Permit: | 300.00 |
| Tombstone | free | 1.00 | 4.00 | 0.80 | 3.20 | 2nd Commercial Permit: | 100.00 |
| Tubac Presidio | free | 1.00 | 3.00 | 0.80 | 2.40 | SPECIAL USE FEES: | |
| Yuma Territorial Prison | free | 2.00 | 4.00 | 1.60 | 3.20 | Non-commercial: | 25.00 |
| Yuma Crossing | free | 2.00 | 4.00 | 1.60 | 3.20 | Commercial: | 25.00 |
| | | | | | | Damage Deposit: | 25.00 |
| | | | | | | (commercial fees not to exceed \$10,000) | |
| | | | | | | PROGRAM FEES (per person): | |
| | | | | | | Students / Interp. Program: | 1.00 |
| | | | | | | RESERVATIONS: | |
| | | | | | | Kartchner Tours: | 3.00 |
| | | | | | | Group Day-Use Reservation: | 10.00-100.00 |
| | | | | | | Group Camping Reservation: | 25.00-100.00 |
| | | | | | | *Arizona State Parks Premium Annual Pass is accepted at all parks. | |
| | | | | | | *Arizona State Parks Standard Annual Pass is accepted at all parks except: Lake Havasu, Cattail Cove, and Buckskin Mountain State Parks on Friday, Saturday, Sunday, or any recognized state holiday. | |
| | | | | | | Additional fees for events and special programs may apply. | |

* All persons in a group, regardless of age, apply toward a group's number. A group is 15 persons or more.

Arizona State Parks Board

KARTCHNER CAVERNS

Estimated Effective Date 08/06/03

| TOURS <i>Reservation Fee not included</i> | Ages 0 - 6 | Ages 7 - 13 | Ages 14 and up | DAILY ENTRANCE (Fee is waived for reserved tour ticket holders.) | | |
|---|---------------|----------------|-------------------|--|--------------------------------------|--------------------|
| Rotunda Tour | free | 6.95 | 15.95 | Per vehicle 1-2 Adult Persons | Each additional adult per vehicle | Individual/bicycle |
| *Seasonal Rate Rotunda Tour | free | 5.95 | 13.95 | | | |
| Big Room Tour | N/A | 9.95 | 19.95 | 5.00 | 2.00 | 2.00 |
| "Walk Up" Non-Reservation | 0 - 6 | 7 - 13 | 14 and up | CAMPING Hookup site ONLY | | |
| Rotunda Tour | free | 9.95 | 18.95 | Nightly rate | | 22.00 |
| *Seasonal Rate Rotunda Tour | free | 8.95 | 16.95 | Seasonal/Conditional rate | | 110.00 |
| Big Room Tour | N/A | 12.95 | 22.95 | | | |

* July and August

RECREATION AND CONSERVATION PARK FEES

| | DAILY ENTRANCE | | NIGHTLY CAMPING | | | | SEASONAL AND CONDITIONAL RATES* | | | |
|-----------------------|--------------------------------------|------------------------|--|-----------------|------------------------|------------------|--|-----------------|---------------------------|---------------|
| | Per Vehicle 1-4 Adult Persons* | Individual/ Bicycle | Campsite | Hook-Up Site | Cabana or Boat Site | Cabin or Yurt | Campsite Per Week | Hook-Up Site | Cabana or Boat Site | Cabin or Yurt |
| Alamo | 5.00 | 1.00 | 10.00-12.00 | 19.00-22.00 | | 35.00-75.00 | 50.00-60.00 | 95-110.00 | | 175.00-325.00 |
| Buckskin Mountain | 7.00 | 1.00 | | 19.00-22.00 | 19.00-22.00 | | | 95-110.00 | 95-110.00 | |
| Buckskin River Island | 7.00 | 1.00 | 14.00-16.00 | | | | 70.00-80.00 | | | |
| Catalina | 6.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | | | 60.00-75.00 | 95-110.00 | | |
| Cattail Cove | 8.00 | 1.00 | | 19.00-22.00 | 14.00 | | | 95-110.00 | 70.00 | |
| Dead Horse Ranch | 5.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | | 35.00-75.00 | 60.00-75.00 | 95-110.00 | | 175.00-325.00 |
| Fool Hollow | 6.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | | | 60.00-75.00 | 95-110.00 | | |
| Homolovi Ruins | 5.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | | | 60.00-75.00 | 95-110.00 | | |
| Lake Havasu | 8.00 | 1.00 | 14.00-16.00 | | | | 70.00-80.00 | | | |
| Lost Dutchman | 6.00 | 1.00 | 12.00-15.00 | | | | 60.00-75.00 | | | |
| Lyman Lake | 5.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | | 35.00-75.00 | 60.00-75.00 | 95-110.00 | | 175.00-325.00 |
| Oracle | 6.00 | 1.00 | | | | | | | | |
| Patagonia Lake | 7.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | 12.00 | | 60.00-75.00 | 95-110.00 | 60.00 | |
| Picacho Peak | 6.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | | | 60.00-75.00 | 95-110.00 | | |
| Red Rock | 6.00 | 1.00 | (Camping fees for educational groups only: \$12.00/group of 1-6 persons) | | | | | | | |
| Roper Lake | 6.00 | 1.00 | 12.00-15.00 | 19.00-22.00 | | 35.00-75.00 | 60.00-75.00 | 95-110.00 | | 175.00-325.00 |
| Slide Rock | 8.00 | 1.00 | | | | | | | | |
| Tonto Natural Bridge | 6.00 | 1.00 | | | | 35.00-75.00 | | | | 175.00-325.00 |

* Adult person is defined as an individual 14 years of age or older.

* Seasonal and conditional rates scheduled times vary by park. Contact individual park directly.

Historical Note

Adopted effective January 1, 1997, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State December 9, 1996 (Supp. 96-4). Amended effective January 1, 1998, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State December 11, 1997 (Supp. 97-4). Amended effective March 2, 1998, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State February 13, 1998 (Supp. 98-1). Amended effective March 2, 1998, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State February 23, 1998 (Supp. 98-1). Amended effective January 1, 1999, under an exemption from A.R.S. Title 41, Chapter 6, specified in A.R.S. § 41-511.05(8); filed in the Office of the Secretary of State November 24, 1998 (Supp. 98-4). Amended by exempt rulemaking at 5 A.A.R. 2173, effective July 1, 1999 (Supp. 99-2). Amended by exempt rulemaking at 7 A.A.R. 5712, effective January 1, 2002 (Supp. 01-4). Amended by exempt rulemaking at 8 A.A.R. 3657, effective July 31, 2002 (Supp. 02-3). Amended by exempt rulemaking at 9 A.A.R. 3828, effective August 6, 2003 (Supp. 03-3). Amended by exempt rulemaking at 10 A.A.R. 569, effective March 1, 2004 (Supp. 04-1). Amended by exempt rulemaking at 10 A.A.R. 1889, effective April 13, 2004 (Supp. 04-2). Amended by exempt rulemaking at 10 A.A.R. 2602, effective June 1, 2004 (Supp. 04-2).

ARTICLE 2. OPERATION OF THE BOARD**R12-8-201. Meetings**

- A. There shall be a minimum of one meeting of the Arizona State Parks Board during each calendar year quarter.
- B. The time and place of a meeting shall be designated seven days before the meeting date by either:
 - 1. The Chairman verbally informing the Director or,
 - 2. Any four members informing the Director in writing, except that in the case of an emergency, the Director may be verbally informed.
- C. The Director, upon being informed of the time and place of a meeting shall:
 - 1. Inform each member of the time and place of the meeting at least five days before the meeting date.
 - 2. Prepare a written agenda consisting of the time and place of the meeting and an outline of the business to be considered. The agenda shall be verbally accepted by the Chairman or the members who set the meeting before it is distributed.
 - 3. Transmit the agenda to each Board Member and post the agenda in the administrative headquarters of the Board and at the headquarters area of each operational State Park at least two days before the meeting date.
 - 4. Prepare explanatory material concerning the business contained on the agenda and transmit the material to each Board Member.
- D. In the case of an emergency, the time requirements of subsections (B) and (C) above may be adjusted to the circumstances.

Historical Note

Adopted effective August 8, 1977 (Supp. 77-4). Former Section R12-8-50 renumbered as Section R12-8-201 without change effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-202. Organization of the Board

- A. Selection of Officers
 - 1. At the first meeting following January 1 of each year, the members present shall select by majority vote a Chairman and a Vice Chairman to serve through the first meeting following January 1 of the year following.
 - 2. If a vacancy in either the Chairman or Vice Chairman office of the Board occurs, the members present at the first meeting following the occurrence of the vacancy shall select a member by majority vote to fill the unexpired term of the officer.
 - 3. If the Chairman and Vice Chairman are absent from a meeting of the Board held in accordance with these rules, a Presiding Officer shall be selected by majority vote of the members present.
- B. Duties of the officers are as follows:
 - 1. The Chairman shall preside over all meetings and functions of the Board.
 - 2. The Vice Chairman shall take over the duties of the Chairman if the Chairman is absent.
 - 3. The Presiding Officer shall take over the duties as Chairman if the Chairman and Vice Chairman are absent.

Historical Note

Adopted effective August 8, 1977 (Supp. 77-4). Former Section R12-8-51 renumbered as Section R12-8-202 without change effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-203. Committees

- A. There shall be no standing committees.

- B. Special committees may be appointed by the Chairman to make reports to the Board concerning matters of interest to the Board.

Historical Note

Adopted effective August 8, 1977 (Supp. 77-4). Former Section R12-8-52 renumbered as Section R12-8-203 without change effective November 1, 1981 (Supp. 81-5).

R12-8-204. Procedures at Meetings

- A. All actions of the Board shall be by majority vote of the membership present.
- B. Board meetings shall be conducted under Roberts Rules of Order.

Historical Note

Adopted effective August 8, 1977 (Supp. 77-4). Former Section R12-8-53 renumbered as Section R12-8-204 without change effective November 1, 1981 (Supp. 81-5). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-205. Repealed**Historical Note**

Adopted effective June 29, 1979 (Supp. 79-3). Former Section R12-8-54 renumbered as Section R12-8-205 without change effective November 1, 1981 (Supp. 81-5). Section repealed by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-206. Repealed**Historical Note**

Adopted effective August 26, 1983 (Supp. 83-4).

R12-8-207. Board Concession Approval Policy

- A. The Board may enter into agreement with a private or public entity for the operation and development of a concession in an area under the jurisdiction of the Board subject to the following conditions:
 - 1. The proposed concession activity shall be consistent with a Board-approved master plan for development and operation of the park in which the concession is to be located. The plan shall include any amendments or other Board activity.
 - 2. The proposed concession activity shall be consistent with the purposes of the Board as defined by statute.
 - 3. The Board determines that there is a need for the proposed type of concession operation and that the proposed concession activity is in the best interest of the state.
 - 4. The Board issues a formal request for proposals from persons interested in operating a concession.
 - 5. The Board determines that the concession operator selected is most advantageous to the state according to the criteria identified in the request for proposals.
- B. The Board shall publish notice of a request for proposals for a concession in accordance with A.R.S. § 41-2533(C). In addition, the Board shall provide notice of a request for proposals at the last known address of each person who has, within the last year, expressed in writing to the Board an interest in operating a concession of the particular nature being noticed.
- C. A copy of this rule shall be provided by the Board to each person who submits a concession proposal without prior issuance by the Board of a formal request for proposals for a concession.
- D. The Board may exempt an existing concession renewal, consignment agreement, vending agreement, or agreement with a nonprofit organization or a local historical society from the procedures contained in this rule.

Historical Note

Adopted effective July 12, 1984 (Supp. 84-4). Amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

ARTICLE 3. STATE HISTORIC PRESERVATION OFFICE PROGRAMS

R12-8-301. Definitions

In this Article, unless the context otherwise requires:

1. "State Historic Preservation Officer" or "Officer" means an employee of the Board with professional competence and expertise in the field of historic preservation who administers the State Historic Preservation Program.
2. "Arizona Register of Historic Places," "Arizona Register," or "Register" is the state's list of Arizona's historic properties worthy of preservation and serves as an official record of Arizona's historic districts, sites, buildings, structures, and objects of national, state, or local significance in the fields of history, architecture, archaeology, engineering, or culture. Properties listed or eligible for the Arizona Register of Historic Places may also be eligible for listing on the National Register of Historic Places.
3. "National Register of Historic Places" means the Nation's official list of historic districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, or culture. Listing on the National Register of Historic Places is required to qualify for state tax incentives.
4. "Historic Sites Review Committee" or "HSRC" means a committee appointed by the State Historic Preservation Officer to review nominations to the registers.
5. "Historic Property" means a building, site, district, object, or structure evaluated as historically significant.

Historical Note

Adopted effective June 30, 1978 (Supp. 78-3). Former Section R12-8-60 renumbered as Section R12-8-301 without change effective November 1, 1981 (Supp. 81-5).

Amended effective August 26, 1983 (Supp. 83-4).

Former Section R12-8-301 renumbered to R12-8-304; new Section R12-8-301 adopted by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-302. Criteria for Evaluation

- A. Before listing a property in the Register, the State Historic Preservation Office (SHPO), with the advice of the HSRC, will apply the following criteria for evaluating the property:
 1. The property conveys significance in one or more of the following contexts: national, state or local history, architecture, archaeology, engineering, or culture;
 2. The property is classified as one of the following types: district, site, building, structure, or object;
 3. The property possesses integrity of location, design, setting, materials, workmanship, feeling, or association; and
 4. The property:
 - a. Is associated with an event that made a significant contribution to the broad pattern of history;
 - b. Is associated with the life of a historically significant person;
 - c. Embodies a distinctive characteristic of a type, period, or method of construction, represents the work of a master, possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - d. Has yielded or is likely to yield important pre-historical or historical information.

- B. The SHPO shall not consider eligible for the Register any property that has achieved significance within the past 50 years unless the property is an integral contributing element of a district that meets the criteria in subsection (A) or the property demonstrates exceptional individual importance.

Historical Note

Adopted effective June 30, 1978 (Supp. 78-3). Former Section R12-8-61 renumbered as Section R12-8-302 without change effective November 1, 1981 (Supp. 81-5).

Amended effective August 26, 1983 (Supp. 83-4).

Former Section R12-8-302 renumbered to R12-8-305; new Section R12-8-302 adopted by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-303. Processes of Registration

- A. The State Historic Preservation Officer shall serve as the keeper of the Register.
- B. Before listing a property in the Register, the SHPO requires the following:
 1. The Historic Property Inventory (HPI) form must be completed by the proponent or owner to determine whether the property is eligible for listing;
 2. The Recommendation of Eligibility form must be completed by the SHPO Officer after receiving the HPI;
 3. If a property is recommended as eligible, the National Register of Historic Places Registration Form or the National Register of Historic Places Multiple Property Documentation Form must be completed by the owner;
 4. The SHPO Officer shall give the owner at least 30 calendar days prior notification of the nomination's review by the HSRC;
 5. The SHPO Officer shall forward the National Register Registration Form to the HSRC; and
 6. The HSRC shall:
 - a. Review the Registration Form, documentation, and any comments concerning the property's significance and integrity,
 - b. Recommend to the SHPO whether the property should be listed in the Arizona Register and forwarded to the keeper of the National Register; and
 - c. Review a refusal of nomination upon request.
- C. The Officer shall determine whether to place the nominated property on the Register in accordance with information provided in subsection (B).
- D. If the SHPO refuses to forward a nomination to the HSRC, the property owner may petition the HSRC Chairman in writing to have the nomination reviewed. The petition shall be filed with the Chairman at least 60 calendar days before the next scheduled meeting.

Historical Note

Adopted effective June 30, 1978 (Supp. 78-3). Former Section R12-8-62 renumbered as Section R12-8-303 without change effective November 1, 1981 (Supp. 81-5).

Former Section R12-8-303 repealed, former Section R12-8-304 renumbered and amended as Section R12-8-303 effective August 26, 1983 (Supp. 83-4). Former Section R12-8-303 renumbered to R12-8-306; new Section R12-8-303 adopted by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-304. Factors for Determining Certification Eligibility

- A. Before the SHPO Officer (Officer) certifies a Historic Property as eligible for a change in property tax classification, the property shall be listed in the National Register of Historic Places:
 1. Individually; or

2. As part of a historic district. If within a historic district, the Officer shall determine whether or not the property contributes to the character of the historic district.
- B. After the SHPO Officer determines a property is eligible for reclassification, the SHPO shall certify a historic property as Non-Commercial or Commercial, as defined in A.R.S. § 42-12101.
- C. The following are exclusions from eligibility:
 1. The Officer shall not certify a historic property that includes within its legal description a building, structure, improvement, or land area that does not contribute to the historical character and that can be excluded by modifying the legal description. If the legal description in an application includes an element or area of this nature, the applicant shall modify the legal description upon notification by the Officer in order to be eligible for certification.
 2. A Historic Property that does not meet the minimum maintenance standards described in R12-8-306 shall not be certified by the Officer. In addition to other reasons established by law, the Officer may disqualify a property certified as a historic property for property tax purposes if the property owner does not comply with these rules and regulations of the Board designated in this Article.
- E. Certification continues through any change of ownership, if the new owner submits required reports and affirms compliance with the program requirements in writing.
- F. Historic Property shall not be decertified by the SHPO without proof, by certified mail, return receipt requested, that the current owner on record with the appropriate County Assessor's Office, has received notice in writing.
- C. For Commercial Historic Property, an application containing the following information shall be submitted to the County Assessor in the county in which the property is located:
 1. Address of the property,
 2. Legal description of the property,
 3. Property classification,
 4. Name of owner,
 5. Historic property name as listed on the National Register of Historic Places,
 6. Date of original construction,
 7. Description of any exterior changes to the property since being listed on the National Register of Historic Places,
 8. Pictures of the historic property that must meet the specifications approved by the State Parks Board. Specifications are available to the public by contacting the State Historic Preservation Office, and
 9. The owner's written consent for the viewing of the property by the Officer or the Officer's representative.
- D. Upon the assessor's verification of the application, the assessor shall submit the application to the Officer.
- E. An applicant for Commercial Historic Property shall submit rehabilitation construction documents including plans and specifications to the County Assessor's Office in the county where the property is listed.
- F. If a Historic Property Inventory Form for the property is not already on file with the State Historic Preservation Office, the applicant for Commercial Historic Property reclassification shall complete the Inventory Form and submit it along with the rehabilitation construction documents to the Officer. The Inventory Form is referenced in R12-8-303.

Historical Note

Adopted effective June 30, 1978 (Supp. 78-3). Former Section R12-8-63 renumbered as Section R12-8-304 without change effective November 1, 1981 (Supp. 81-5). Former Section R12-8-304 renumbered and amended as Section R12-8-303, former Section R12-8-305 renumbered and amended as Section R12-8-304 effective August 26, 1983 (Supp. 83-4). Former Section R12-8-304 renumbered to R12-8-307; new Section R12-8-304 renumbered from R12-8-301 and amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-305. Application for Eligibility for Reclassification

- A. The Board shall approve the content and format of the Verification of Eligibility form for use in certifying the eligibility of a property for classification as Commercial or Non-Commercial Historic Property. An application form may be obtained from the County Assessor's Office where the property is located.
- B. For Non-Commercial Historic Property, an application containing the following information shall be submitted to the County Assessor in the county in which the property is located:
 1. Address of the property,
 2. Legal description of the property,
 3. Property classification,
 4. Name of owner,
 5. Historic property name as listed on the National Register of Historic Places,
 6. Date of original construction,
 7. Description of any exterior changes to the building since being listed on the National Register of Historic Places,
 8. Pictures of the historic property
 9. The owner's written consent for the viewing of the property by the Officer or representative.
- C. For Commercial Historic Property, an application containing the following information shall be submitted to the County Assessor in the county in which the property is located:
 1. Address of the property,
 2. Legal description of the property,
 3. Property classification,
 4. Name of owner,
 5. Historic property name as listed on the National Register of Historic Places,
 6. Date of original construction,
 7. Description of any exterior changes to the property since being listed on the National Register of Historic Places,
 8. Pictures of the historic property that must meet the specifications approved by the State Parks Board. Specifications are available to the public by contacting the State Historic Preservation Office, and
 9. The owner's written consent for the viewing of the property by the Officer or the Officer's representative.
- D. Upon the assessor's verification of the application, the assessor shall submit the application to the Officer.
- E. An applicant for Commercial Historic Property shall submit rehabilitation construction documents including plans and specifications to the County Assessor's Office in the county where the property is listed.
- F. If a Historic Property Inventory Form for the property is not already on file with the State Historic Preservation Office, the applicant for Commercial Historic Property reclassification shall complete the Inventory Form and submit it along with the rehabilitation construction documents to the Officer. The Inventory Form is referenced in R12-8-303.

Historical Note

Adopted effective June 30, 1978 (Supp. 78-3). Former Section R12-8-64 renumbered as Section R12-8-305 without change effective November 1, 1981 (Supp. 81-5). Former Section R12-8-305 renumbered and amended as Section R12-8-304 effective August 26, 1983 (Supp. 83-4). New Section R12-8-305 renumbered from R12-8-302 and amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-306. Minimum Maintenance/Restoration Standards

- A. The owner of a certified Commercial or Non-Commercial historic property shall maintain the property to preserve the historical integrity of the features, materials, appearance, workmanship, and environment, according to the following standards:
 1. Protect the Historic Property against accelerated deterioration due to:
 - a. Vandalism;
 - b. Structural failure;
 - c. Climatic weathering including the affects of water infiltration;
 - d. Biological affects due to insects, animals, or plants;
 - e. Fire; or
 - f. Flooding.
 2. Maintain the historic property by:
 - a. Keeping it secure;
 - b. Maintaining the windows and doors, or covering them in a manner that does not injure the property's integrity;
 - c. Maintaining security fencing, if applicable;
 - d. Maintaining roofs and drainage systems;
 - e. Minimizing damage from insects, birds, or animals; and
 - f. Maintaining landscaping to reduce fire potential.

Arizona State Parks Board

- B. The Officer shall decertify any certified Historic Property that is condemned by a local authority.
- C. Before implementation of any rehabilitation project, the owner shall submit both a written and graphic proposal (Construction Documents) for the proposed rehabilitation project to the Officer. The Officer has 30 calendar days from receipt of the proposal in which to comment on the appropriateness of the project in relationship to The Secretary of the Interior's Standards for Rehabilitation.
- D. The Officer shall review all rehabilitation projects done to ensure that the planned project for rehabilitation of the Historic Property is in accordance with the guidelines established by the U.S. Government, Cyclical Maintenance for Historic Buildings, J. Henry Chambers, AIA, 1976, available from the U.S. Government Printing Office and the U.S. Department of the Interior, the National Park Service publication titled, The Secretary of the Interior's Standards for Historic Preservation Projects, Section III, Guidelines, 1983 and The Secretary of the Interior's Standards for Rehabilitation, National Park Service, 1995 available from the National Park Service Technical Preservation Services Division, the State Historic Preservation Office, or the U.S. Government Printing Office. These three documents are incorporated by reference and on file with the Board and the Office of the Secretary of State. The materials incorporated by reference contain no future editions or amendments.
- E. The owner shall submit pictures of rehabilitation projects no later than 30 calendar days after completion of the rehabilitation project that illustrate compliance with the standards established in subsection (D).

- F. If a conflict occurs between the requirements of the Officer or the Officer's representative and local building officials or any applicable laws, a meeting of the appropriate representatives shall be called by the owner to discuss the question and reach an equitable solution.

Historical Note

New Section R12-8-306 renumbered from R12-8-303 and amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).

R12-8-307. Documentation Requirements, Reports, and Inspection

- A. The owner of a certified Historic Property shall submit the following information for the requested year's activity to the Officer:
 1. Confirmation of current Historic Property ownership,
 2. A statement signed by the owner indicating that the Historic Property is operated and maintained in accordance with the laws and rules applicable to the classification of the Historic Property for property tax purposes, and
 3. Additional reports and inspections necessary for documentation requirements.
- B. The owner of a classified Historic Property shall permit the Officer or representative to inspect the property for compliance with these rules. The Officer shall notify the owner by certified mail at least ten days before the inspection.

Historical Note

New Section R12-8-307 renumbered from R12-8-304 and amended by final rulemaking at 7 A.A.R. 1010, effective February 8, 2001 (Supp. 01-1).